

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	CASE NO. 4:17CR3038
)	
Plaintiff,)	
)	
vs.)	MOTION IN LIMINE
)	
MICHAEL W. PARSONS,)	
)	
Defendant.)	

Comes now the Defendant, Michael W. Parsons, by and through counsel, Donald L. Schense and moves this Court for an Order prohibiting the Government from referring to or using, in any way whatsoever, information concerning or evidence of certain prior acts or allegations to wit:

1. Reference to evidence surrounding the Defendant's arrest, prosecution and conviction for his Tennessee state court conviction from Tipton County, Tennessee of November 23, 2009. The events surrounding this matter would be so prejudicial as to deny the Defendant his right to a fair trial and due process of law under the Fifth and Fourteenth Amendments of the United States Constitution and the corresponding provisions of the Federal Rules of Evidence.

Additionally, the Government should be precluded from introducing any evidence relative to outstanding charges the Defendant may still have pending in the State of Tennessee. The probative value of this type of evidence is outweighed by its prejudicial effect on this Defendant and these proceedings.

2. Specifically, the Government should be precluded from introducing any evidence regarding the above noted references pertaining to this Defendant.

3. The proffered evidence is irrelevant in that it does not tend to make a fact more or less

probable and must therefore be excluded.

MICHAEL W. PARSONS, Defendant,
By: /S/ DONALD L. SCHENSE
Donald L. Schense, #16928
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Attorney for the Defendant

CERTIFICATE OF SERVICE

This is to certify that I filed through ECF the above Motion in Limine and had the same served to the United States Attorney, this 23rd day of May, 2018.

/S/DONALD L. SCHENSE